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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/759,179	01/12/2001	Martin Hillebrand Bles	NL 000044	9984

7590

01/09/2003

Corporate Patent Counsel
U.S. Philips Corporation
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EXAMINER

KACKAR, RAM N

ART UNIT	PAPER NUMBER
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1763

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DATE MAILED: 01/09/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/759,179

Applicant(s)

BLEES, MARTIN HILLEBRAND

Examiner

Ram N Kackar

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 December 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 and 5-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 5-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-2 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hawker et al (US 6413587).

Hawker et al disclose a stamp (Fig 1) for use in a lithographic process, comprising a body (10), a printing face (16), recesses with apertures (14), the recesses becoming narrower as the distance from printing face increases (Fig 1) and projection of the recesses lying within the apertures (Fig 1), the recess having a triangular shape (Fig 1).

Hawker et al do not expressly disclose recesses of different apertures especially third recess having an aperture at least five times the aperture of the first recess. However, as the stamp disclosed by Hawker et al is for real world applications, it would obviously be usable to pattern features of different sizes.

Therefore it would have been obvious to one of ordinary skill in the art at the time invention was made to have a stamp with varying recess apertures and third recess aperture more than five times or more than 20 times the aperture of the first recess if the features pattern needed it.

3. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hawker et al (US 6413587) in view of Maracas et al (US 5937758).

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Hawker et al disclose a micro contact-printing stamp but do not expressly disclose feature size to be less than 1 μm .

Maracas et al disclose a stamp with micron /sub micron feature size (Col 3 line 22-25 and Col 8 line 17-18).

As feature size in integrated circuits is being required to be more and more narrower, it would have been obvious for one of ordinary skill in the art at the time invention was made to make the stamp of Hawker with sub micron feature size to be able to pattern sub micron features.

4. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Whitesides et al (US 5900160) in view of Biebuyck et al (US 5925259).

Whitesides et al disclose a method of manufacturing a stamp for use in a lithographic process (Fig 8a-9f Col 14 line 28 to Col 15 line 19) which includes anisotropic etching of a surface, to produce a recess which becomes narrower as its distance to the original surface increases (Fig 8d and Col 15 line 10-19), its projection always lying in the aperture and making a replica of the patterned mold surface (Fig 9d).

Whitesides et al do not expressly disclose recesses of different apertures. However the method of manufacturing a stamp of different apertures would be no different. Moreover stamps of different apertures are known in the prior art (Biebuyck et al US 5925259 Fig 2A).

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Therefore it would have been obvious to one of ordinary skill in the art at the time invention was made to have a stamp with varying recesses to micro print features of varying dimensions.

5. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Whitesides et al (US 5900160) in view of Whitesides et al (Article Soft lithography Angew. Chem. Int. Ed. 1998, vol. 37 pages 551-575).

White sides et al do not disclose expressly in (US 5900160) that a replica could be made of the body resulting from the method disclosed in claim 6. Whitesides et al in their article (page 562- 4.1 A) show that method of making replica of a rigid mold as well as an elastomer mold has been demonstrated at nanometer scale.

Therefore making a replica of stamp body of claim 6 would have been obvious to one of ordinary skill in the art at the time invention was made so as to be able to pattern with the same polarity as the original master.

Response to Amendment

6. Applicant's arguments filed 12/09/2002 have been fully considered but they are not persuasive. Applicants have amended claims 1 and 6 to now include recesses of different apertures in a single stamp for micro printing. However, having stamp print surface recesses of different apertures would be obvious because in real commercial applications the features to be patterned may not all be of same size. For example Biebuyck et al (US 5925259 Fig 2A) disclose a stamp where the printing surface recesses are of different aperture size. The amendment therefore does not make these claims patentable.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ram N Kackar whose telephone number is 703 305 3996. The examiner can normally be reached on M-F 8:00 A.M to 5:P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Mills can be reached on 703 308 1633. The fax phone numbers for the organization where this application or proceeding is assigned are 703 872 9310 for regular communications and 703 872 9311 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 308 0661.

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RK

January 3, 2003

W
SUPERVISOR
TECHNICAL CENTER